



— State of —  
**North Dakota**  
*Office of the Governor*

**John Hoeven**  
*Governor*

**EXECUTIVE ORDER 2010-05**

I, John Hoeven, Governor of the State of North Dakota, by the authority vested in me, declare a flood emergency exists in counties and tribal reservations with a 50 percent probability of reaching or exceeding major flood stage within North Dakota and Stutsman and LaMoure counties; and

**WHEREAS**, flood outlooks issued by the National Oceanic and Atmospheric Administration's (NOAA) National Weather Service (NWS) indicate potentially significant spring flooding in several river basins to include the Missouri, James, Devils Lake and Red River of the North Basins; and

**WHEREAS**, factors leading to this projection include excessive rainfall experienced last fall, the amount of water equivalent in the current snowpack, current saturated soil conditions, and full surface water storage in sloughs, ponds and drainage areas; and

**WHEREAS**, stream flows of rivers and tributaries in the Red River, James River, Devils Lake and Missouri River Basins are unseasonably high; and

**WHEREAS**, Devils and Stump Lakes entered freeze-up near record elevation with saturated soils, and the Long Range Probabilistic Outlook indicates the Devils Lake Basin received 300 to 500 percent of normal precipitation; and

**WHEREAS**, in the Devils Lake Basin, a major concern is potential impacts to local infrastructure by the added hydraulic pressure placed on roads currently acting as dams (RAADs); and

**WHEREAS**, counties and tribal reservations with a 50 percent probability of reaching or exceeding major flood stage currently include Barnes, Benson, Burleigh, Cass, Dickey, Emmons, Foster, Grand Forks, Mercer, Nelson, Pembina, Ramsey, Ransom, Richland, Traill, Walsh and the Spirit Lake Reservation; and

**WHEREAS**, increased releases from the Pipestem and Jamestown Dams due to heavy snowpack will likely impact flood fighting efforts in Stutsman and LaMoure Counties; and

**WHEREAS**, continued precipitation in combination with melting snowpack threatens to adversely impact and/or damage transportation infrastructure, public and private property, and sewage and water systems; and

**WHEREAS**, spring flooding may cause short or long term losses for livestock producers, inundation of farm lands, and agricultural losses constituting economic hardship across the state; and

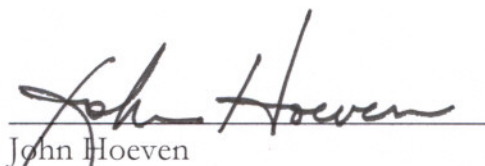
**WHEREAS**, based upon these factors, actions are necessary to address threats to public health and safety, reduce economic hardships, and continue response, recovery and mitigation efforts.

**NOW; THEREFORE**, I order that all state departments and administrators maintain flood response resources and capabilities at high levels of readiness to execute responsibilities pursuant to the State Emergency Operations Plan.

This order is issued upon the following basis and for the following reasons:

1. The Governor is vested with the executive authority pursuant to Article V, Section 1 of the North Dakota Constitution; and,
2. The Governor is vested with statutory authority to issue executive orders to minimize or avert the effects of a disaster or emergency pursuant to Chapter 37-17.1 of the North Dakota Century Code; and,
3. A coordinated and effective effort of all state departments is required to minimize the impact of disasters and emergencies in this state.

Executed at Bismarck, North Dakota, this 26<sup>th</sup> day of February, 2010.

  
John Hoeven  
Governor

ATTEST:

  
Secretary of State

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Deputy